

Appl. No. 09/758,864
Amdt. dated July 9, 2004
Reply to Office action of May 26, 2004

DOCKET NO. SC11051TS-2

REMARKS

In an Office Action mailed May 26, 2004, pending claims 1-19 were examined. Claims 11-14 were allowed, claims 3 and 4 were objected to and claims 1, 2, 5-10 and 15-19 were rejected. In response, Applicants are herein amending claims 1, 4, 14, 15 and 17 and canceling claim 3, and respectfully request the reconsideration and allowance of claims 1, 2 and 4-19, as amended herein, thereby placing the application in condition for allowance. As noted on page 1 of this communication, a large entity fee of \$86 is authorized for placing claim 4 in independent form.

Claims 15-19 were rejected under 35 U.S.C. 112, second paragraph, as being indefinite in connection with the terms "the receiving unit" and "the transmitting unit". In response, claim 15 is herein amended to consistently recite "a transmitting device" and "a receiving device". Claim 17 is amended to recite "an interconnect device" between the recited transmitting device and receiving device. Sufficient antecedent basis now exists for claims 15-19 and Applicants request withdrawal of the rejection of claims 15-19 and the allowance thereof which was indicated upon removal of the stated rejection.

Claims 1 and 2 were rejected under 35 U.S.C. 102(e) as being anticipated by Garcia et al. (U.S. Patent 6,545,981). Claim 1 is amended to include the recitals of objected to claim 3. The Garcia et al. system does not function by "successively checking and verifying that each of the information packets which is received is being received pursuant to the predetermined order". The Garcia et al. system determines time-out errors indicating failure to receive data due to failure of a particular path. Numerous other differences between the Garcia et al. system and the recited subject matter exist. For example, the Garcia et al. system does not function by "rejecting a specific information packet by providing the acknowledge response, the rejecting forcing the first of the two communicating devices to determine which specific information packet was rejected and to resend the specific information packet which was rejected until the specific information packet is accepted by the second of the two communicating devices". Applicants request the withdrawal of the rejection of claims 1 and 2, as amended herein, and the allowance thereof including dependent claims 5-10. Objected to claim 4 is herein placed in

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independcnt form.

Claim 10 was rejected under 35 U.S.C. 103(a) as being unpatentable over Garcia (U.S. Patent 6,545,981) in view of Aweya et al. (U.S. Patent 6,584,111). In view of the amendment to claim 1 the rejection of dependent claim is overcome.

Previously allowed claim 14 is herein amended to correct an inadvertent typographical error. Entrance of the amendment to claim 14 to address a matter related solely to form is herein requested.

Applicants respectfully request consideration of the amendments and the allowance of claims 1, 2 and 4-19, thereby placing the application in condition for allowance. Should issues remain that might be subject to resolution through a telephonic interview, the Examiner is requested to telephone the undersigned at (512) 996-6839.

SEND CORRESPONDENCE TO:

Freescale Semiconductor, Inc.
Customer Number: 23125

Respectfully submitted,

By: Robert L. King

Robert L. King
Attorney of Record
Reg. No.: 30,185
Telephone: (512) 996-6839
Fax No.: (512) 996-6854